

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CORDELL FORD,

Plaintiff,

v.

Case No. 23-cv-1467-pp

CO KRAMER, *et al.*,

Defendant.

**ORDER DENYING AS UNNECESSARY PLAINTIFF'S MOTION TO AMEND
(DKT. NO. 8)**

Plaintiff Cordell Ford, who is incarcerated at Waupun Correctional Institution and is representing himself, filed this case alleging violations of his constitutional rights. The court screened the complaint and allowed the plaintiff to proceed on an Eighth Amendment claim against defendants Marwitz, Kramer and Bitner based on allegations that they disregarded his comments that he was going to harm himself and that he had harmed himself. Dkt. No. 7 at 7. The court also allowed the plaintiff to proceed on Eighth Amendment medical care claims against defendants Vick, Kramer, Morwitz and Bleeder based on allegations that they did not properly treat his wounds. Id. The plaintiff has filed a motion to amend the complaint, stating that he forgot to explain how Sgt. Lambert and CO Stroughter violated his rights. Dkt. No. 8.

The plaintiff's motion to amend is unnecessary. Federal Rule of Civil Procedure 15 allows a party to file an amended complaint as a matter of course and without leave of the court no later than twenty-one days after the

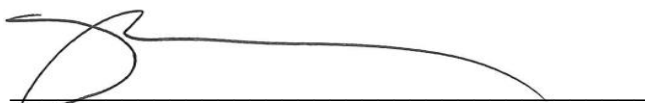
defendants file a responsive pleading to the original complaint. See Fed. R. Civ. P. 15(a)(1)(B). The defendants have not yet responded to the original complaint—the court’s April 10, 2024 order directed them to do so within sixty days—so the plaintiff does not need the court’s permission to file an amended complaint. Dkt. No. 7 at 8-9.

If the plaintiff files an amended complaint, the court will screen it under 28 U.S.C. §1915A. The plaintiff did not include a proposed amended complaint with his motion so the court is enclosing with this order a copy of its amended complaint form. The plaintiff must use this form for his amended complaint. See Civil Local Rule 9(b). (E.D. Wis.). The amended complaint takes the place of the prior complaint and must be complete in itself; the plaintiff may not refer the court or other readers back to facts in the previous complaint.

The court **DENIES AS UNNECESSARY** the plaintiff’s motion to amend complaint. Dkt. No. 8.

Dated in Milwaukee, Wisconsin this 24th day of April, 2024.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge